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OSCOLA 4th ed.

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MAY 1777—1st of COMMONWEALTH.

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CHAP. III.

An act to oblige the free male inhabilants of this state above a certain age to give assurance of Allegiance to the same, and for other purposes.

WHEREAS allegiance and protection are recipro- All free born cal, and those who will not bear the former are not en-males, above titled to the benefits of the latter, Therefore Be it en- 16 years old, acted by the General Assembly, that all free born male to take the oath of alleinhabitants of this state, above the age of sixteen years, giance, except imported servants during the time of their service, shall, on or before the tenth day of October next, take and subscribe the following oath or affirmation before some one of the justices of the peace of the county, city, or borough, where they shall respectively inhabit; and the said justice shall give a certificate thereof to every such person, and the said oath or affirmation shall be as followeth, viz. 'I do swear or affirm, that I renounce and refuse all allegiance to George the Form of the third, king of Great Britain, his heirs and successours, **and** that **I** will be faithful and bear true allegiance to the commonwealth of Virginia, as a free and independent state, and that I will not, at any time, do, or cause to be done, any matter or thing that will be prejudicial or injurious to the freedom and independence thereof, as declared by congress; and also, that I will discover and make known to some one justice of the peace for the said state, all treasons or traiterous conspiracies which I now or hereafter shall know to be formed against this or any of the United States of America.' And the form of the said certificate shall be as follows, to wit: 'I do hereby certify, that and subscribed the oath or affirmation of allegiance and fidelity, as directed by an act of general assembly intituled An act to oblige the free male inhabitants of this state above a certain age to give assurance of allegiance to the same, and for other purposes. Witness my hand and seal, this day of

A. B. And be it farther enacted, That the justice of the keep regispeace before whom such oath or affirmation shall be ters; and

subscribed shall keep fair registers of the names of the transmitre-L 2 Vol. 1X

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turns to clerks of Courts,

names of the persons so sworn or affirmed, and the time when; and shall, on or before the first day of January in every year, transmit, in writing, under his hand and seal, to the clerk of the court of the county, city, or borough, a true list of the names of those who, within the same year, have so sworn or affirmed before them respectively.

pointed to

And be it farther enacted, by the authority aforesaid, Persons ap- That within one month after the passing of this act, or tender oath. at the next succeeding court, the court of every county in this commonwealth shall appoint some of their members to make a tour of the county, and tender the oath or affirmation aforesaid to every free born male person Those refus- above the age of sixteen years, except as before excepted; and that in the certificate directed to be returned, of those who take the oath or affirmation, shall be men-Recusants to tioned the names of such as refuse. And the justices

ing to be no-

be reported tendering such oath or affirmation are hereby directed to county lieutenant. who is forth. county lieutenant, or chief commanding officer of the with to dis- militia, who is hereby authorised and directed forthwith arm them.

Person distend musters ed from fines pearing Incapacities of those re-

taken by: those comted States.

armed.

fusing to

of allegi-

ance.

take the oath

Consequence of

neglect.

to cause such recusants to be disarmed. Provided, That the person so disarmed shall, neverarmed com- theless, be obliged to attend musters, but shall be expelled to at empted from the fines imposed for appearing at such but exempt musters without arms, accoutrements, and ammunition.

to deliver a list of the names of such recusants to the

And be it farther enacted, That every person above for not ap- the age before mentioned, except as before excepted, refusing or neglecting to take and subscribe the oath or affirmation aforesaid, shall, during the time of such neglect or refusal, be incapable of holding any office in this state, serving on juries, suing for any debts, electing or being elected, or buying lands, tenements, or hereditaments.

And be it farther enacted, That all persons coming Oath to be from any of the other United States into this state are hereby required to apply to one of the nearest justices ing from any after he enters this state, and take or subscribe an oath of the Uni- or affirmation, renouncing all allegiance to the king of Great Britain, and promising that he will not do any thing prejudicial to the independence of the United States of America, as declared by the general congress: and upon neglecting so to do, he shall be liable to be taken before a justice, who shall tender him the said oath or affirmation, and upon his refusal to take and subscribe the same, the said justice shall, and is here-

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by required, to commit him to the jail of the county, city, or borough, there to remain without bail or mainprize, until he shall take and subscribe the said oath or affirmation, or give bond and security immediately to depart this commonwealth, which bond shall be payable to the governour, for the time being, for the use of the commonwealth.

Provided nevertheless, That prisoners of war, regular officers and soldiers in the pay of the continent or of this state, merchants and mariners trading in the within the meaning of ports of this state from foreign powers in amity with the this act. United States, and not become resident, are declared not to be within the intent and meaning of this act.

Who not

And be it farther enacted, That this act shall be publickly read by the sheriff of every county in this com- How this act monwealth at the door of the courthouse of his county, to be pubon some court day, on or before the first day of Sep-lished tember next, and also by every minister of the gospel, or reader, immediately after divine service, at every church or meeting-house where they officiate, on some Sunday within the said time. And every sheriff, minister, or reader, failing so to do, shall forfeit and pay the sum of ten pounds, to be recovered, with costs, by the informer, before the court of the county where the offence shall be committed.

CHAP. IV.

An act for establishing a Loan office [Chan. Rev. for the purpose of borrowing money for the use of the United States, and appointing a Commissioner for superintending the same.

I. WHEREAS the general congress, on the third day of October last, did resolve that five millions of con-States, loan tinental dollars should be immediately borrowed for the office estause of the United States of America, for the re-payment of which money lent, at the end of three years, with the interest annually, at the place where the same is